

Declaration for Patent Application

Docket Number: ABC-0001CIP

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TREATMENT OF AUTOIMMUNE DISEASE, INCLUDING AIDS, the specification of which is attached hereto unless the following box is checked.

- ☐ was filed on _____;
as United States Application Number or PCT International Application Number _____; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

(Application No.)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT International filing date of this application.

08/025,408

(Application No.)

February 26, 1993

(Filing Date)

Allowed, but pending

(Status - patented, pending, abandoned)

(Application No.)

(Filing Date)

(Status - patented, pending, abandoned)

Send Correspondence to:

EVELYN H. MCCONATHY
11723 Quay Road
Oakton, VA 22124

Direct Telephone Calls to:

(703) 716-5240

Appl. No. Not Yet Assigned

Docket No.: ABC-0001CIP

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Boris Skurkovich	
Inventor's signature: <i>Boris Skurkovich</i>	Date: 12/22/96
Residence: 18 Blaisdell Avenue, Pawtucket, Rhode Island 02860	
Citizenship: U.S.	
Post Office Address: Same	
Full name of second inventor: Simon V. Skurkovich	
Second Inventor's signature: <i>Simon V. Skurkovich</i>	Date: 12/22/96
Residence: 802 Rollins Avenue, Rockville, Maryland 20852	
Citizenship: U.S.	
Post Office Address: Same	

C:\WP61\ADV-BIO\ABC-0001CIP\INVENTOR.DEC

Applicant or Patentee: Boris Skurkovich and Simon V. Skurkovich Attorney: Evelyn H. McConathy
Appl. or Patent No.: 08/771,831 Dock No.: ABC-0001CIP
Filed: December 23, 1996
For: TREATMENT OF AUTOIMMUNE DISEASE, INCLUDING AIDS

**Verified Statement (Declaration) Claiming Small Entity Status
Under 37 C.F.R. 1.9(d)**

I hereby declare that I am

- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern identified empowered to act on behalf of the concern identified below:

NAME OF ORGANIZATION Advanced Biotherapy Concepts, Inc.
ADDRESS OF ORGANIZATION 802 ROLLINS AVE.
ROCKVILLE, MD 20252

I further declare that the small entity organization identified above qualifies as a small entity organization as defined in 13 C.F.R. 121.12, and reproduced in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For the purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. Moreover, the named small entity has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights to the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R.

§ 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). These statements are made with regard to the invention entitled TREATMENT OF AUTOIMMUNE DISEASE, INCLUDING AIDS by inventor(s) Boris Skurkovich and Simon V. Skurkovich described in

☐ the specification filed herewith
☒ application no. 08/771,831 filed December 23, 1996
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the small entity organization with regard to the above identified invention.

If the rights held by the named small entity organization are not exclusive, each named person, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities (37 C.F.R. § 1.27), and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(e) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING EDWARD BUCCELLATO
TITLE IN ORGANIZATION PRESIDENT
ADDRESS OF PERSON SIGNING 6354 TOTANUM CAMDEN BLVD, STE 210
WOODLAND HILLS, CA 91367
SIGNATURE [Signature] DATE 4/14/97

LAW OFFICE OF EVELYN H. MCCONATHY
11723 Quay Road • Oakton, VA 22124 • (703) 716-5240

PATENT
BOX NON-FEE AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re.:	Patent Application of	:
	Skurkovich <i>et al.</i>	: Group Art Unit: 1806
		:
Appln. No.:	08/771,831	:
		:
Filed:	December 23, 1996	:
		:
Title:	TREATMENT OF AUTOIMMUNE	: Attorney Docket
	DISEASES, INCLUDING AIDS	: No. 0011-1U1
		: (ABC-0001 CIP)

REVOCATION AND APPOINTMENT OF ATTORNEY

The undersigned states that he/she is authorized to sign the document on behalf of the assignee of the above application, that the evidentiary documents relating to the assignment of the above application have been reviewed, and he/she certifies that, to the best of assignee's knowledge and belief, title to the above application is in assignee by virtue of an assignment recorded in the U.S. Patent and Trademark Office on May 6, 1997 at Reel 8497, at Frame 763.

Advanced Biotherapy Concepts, Inc., assignee of the above application, by its undersigned representative, hereby revokes all previous Powers of Attorney and appoints Ronald L. Panitch, Registration No. 22,825; William W. Schwarze, Registration No. 25,918; Alan S. Nadel, Registration No. 27,363; Leslie L. Kasten, Jr., Registration No. 28,959; Joel S. Goldhammer, Registration No. 22,130; John Jamieson, Jr., Registration No. 29,546; Martin G. Belisario, Registration No. 32,886; Lynda L. Calderone, Registration No. 35,837; Steven H. Meyer, Registration No. 37,189; Randolph J. Huis, Registration No. 34,626; Clark A. Jablon, Registration No. 35,039; Christopher Egolf, Registration No. 27,633; Kathryn Doyle Leary, Registration No. 36,317; Gary D. Colby, Registration No. 40,961; and Catherine M. Joyce, Registration No. 40,668, as its attorneys or agents with full power of substitution and revocation,

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

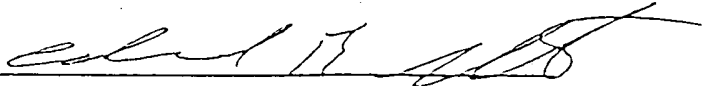
Please address all correspondence to PANITCH SCHWARZE JACOBS & NADEL, P.C., One Commerce Square, 2005 Market Street, 22nd Floor, Philadelphia, Pennsylvania 19103-7086. Please direct all communications and telephone calls to Kathryn Doyle Leary, Ph.D., J.D. at 215-965-1284 (telephone) or 215-567-2991 (facsimile).

Respectfully submitted,

SKURKOVICH *ET AL.*

12/17/97
(Date)

By:


Edmond Buccellato
Title: President